

## Message Text

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64

ACTION SCS-03

INFO OCT-01 NEA-10 ISO-00 SCA-01 DHA-02 SNM-02 L-03 JUSE-00

DEAE-00 H-02 /024 W

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R 301540Z JUN 75

FM AMEMBASSY ALGIERS

TO SECSTATE WASHDC 2642

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AMCONSUL ORAN SENDS

E.O. 11652:N/A

TAGSC CASC, AG(HENDRIX AND RUPERT)

SUBJ: DRUG TRIAL AND CONSULAR ACCESS

1. WE BELIEVE IT UNLIKELY THAT NEW TRIAL WOULD  
RESULT IN QTE BETTER DEAL UNQTE FOR HENDRIX AND RUPERT.

2. UNREPRESENTED BY CONSEL AT FIRST TRIAL THE TWO  
WERE SENTENCED TO FOUR YEARS. REPRESENTED BY CONSEL  
AT APPEAL, HENDRIX AND RUPERT SAW THEIR SENTENCES  
INCREASED TO 10 YEARS. IN ARGUING CASE ON THEIR  
BEHALF THEIR LAWYER, AS WELL AS LAWYERS FOR OTHER  
NON-AMERICAN DEFENDANTS, ATTACKED, TO NO AVAIL,  
THE APPLICATION OF RETROACTIVE DRUG LAW WHICH DIDN'T  
EXIST WHEN OFFENSE WAS COMMITTED OR EVEN WHEN  
DEFENDANTS ORIGINALLY CONVICTED.

3. EVEN SHOULD WE BE ABLE TO PERSUADE GOA TO AGREE  
TO NEW TRIAL, WOULD NOTE THAT NO APPARENT  
PROVISIONS EXIST FOR IT IN ALGERIAN LEGAL CODE.  
AND EVEN IF THERE WERE NEW TRIAL, POSSIBILITY WOULD  
ALWAYS BE PRESENT THAT IT WOULD RESULT IN HARDER  
SENTENCES.

4. ON THE OTHER HAND, NO RESPONSIBLE ALGERIAN WITH  
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WHOM WE HAVE SPOKEN, AMONG OTHERS THE DIRECTOR OF

EL ASNAM PRISON, PROSECUTOR, AND SEVERAL LAWYERS,  
BELEIVE HENDRIX AND RUPERT WILL SERVE FULL  
SENTENCE. WE ARE TOLD THAT PERIODIC REDUCTIONS IN  
PRISONERS' SENTENCES AND GRACES TO MARK VARIOUS CIVIL  
ANNIVERSAIRIES WILL PROBABLY REDUCE ACTUAL EMPRISONMENT.  
HENDRIX AND RUPERT LAWYER HAS IN FACT ALREADY  
PETITIONED GOA THAT THE TWO PRISONERS BE FAVORABLY  
CONSIDERED FOR ANY FUTURE GENERAL PARDON, GRACE, OR  
REDUCTION OF SENTENCES.

5. OUR NEXT VISIT TO HENDRIX AND RUPERT IS SCHEDULED  
FOR LATE JULY BUT PENDING DEPT REACTION TO FOREGOING,  
WE PROPOSE TO HOLD OFF ASKING THEM IF THEY WISH  
USG TO PRESS FOR NEW TRIAL.  
LYNE

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
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**Draft Date:** 30 JUN 1975  
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**Disposition Approved on Date:**  
**Disposition Authority:** ElyME  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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